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*Attorneys for Defendant
Harbor Freight Tools USA, Inc.*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RANDY BENSON, an individual,

Plaintiff,

v.

HARBOR FREIGHT TOOLS USA, INC., a
Foreign Corporation; et al.,

Defendants.

Case No. 2:21-cv-01091-JAD-VCF

**ORDER GRANTING JOINT
MOTION TO STAY LITIGATION
PENDING OUTCOME OF
MEDIATION**

ECF Nos. 31, 32, 39

Plaintiff Randy Benson ("Plaintiff") and Defendant Harbor Freight Tools USA, Inc. ("HFT") by and through their respective counsel, submit the following Joint Motion to Stay Litigation Pending Outcome of Mediation. All parties jointly file the instant motion, and no oppose to the same will be issued.

The parties believe that settlement is possible and are currently engaged in settlement negotiations and they have agreed to a private mediation that is scheduled to take place on

June 5, 2023 before Hon. Jennifer Togliatti (ret.). It is the parties' hope that this case can be resolved at this time.

Wherefore, the parties respectfully request that the Court stay this action, including all discovery deadlines, all pending motions, all current pre-trial deadlines, including those for pretrial disclosures, motions in limine, calendar call and other deadlines be vacated, pending completion of a private mediation scheduled for on June 5, 2023, before Hon. Jennifer Togliatti (ret.). Per the Court's approval, the parties will file a joint status report fourteen (14) days following mediation to advise whether the case has settled or whether new deadlines should be issued.

Dated: March 21, 2023

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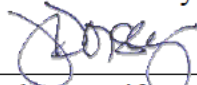
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*Attorneys for Defendant
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ORDER

With good cause appearing, the motion to stay litigation pending outcome of the June 5, 2023, mediation [39] is **GRANTED**. This action is stayed, and either party may move to lift the stay after the mediation is concluded.

In light of this stay, and to conserve judicial and party resources, IT IS FURTHER ORDERED that the pending motions to amend the complaint and to limit or strike defendant's rebuttal expert witnesses [ECF Nos. 31, 32] are **DENIED without prejudice to the ability to refile them within 20 days after the mediation**, should this matter not be resolved thereby.



U.S. District Judge Jennifer A. Dorsey
Dated: March 23, 2023